

PENNSYLVANIA WESTERN UNIVERSITY PROTECTION OF MINORS POLICY HANDBOOK

For All Programs Involving Non-Matriculated Minors



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PROTECTION OF MINORS POLICY - QUICK GUIDE TO REQUIREMENTS

This checklist for **Program and Contract Administrators** provides a quick guide to requirements as outlined in the Protection of Minors Policy Handbook for University-Sponsored Programs, Non-University-Sponsored Programs, and Non-Affiliated Services. Program and Contract Administrators should thoroughly review the entire Policy Handbook to properly identify all essential and specific requirements **and responsibilities**.

COMPLETE	PROGRAM REQUIREMENTS	UNIVERSITY-SPONSORED	NON-AFFILIATED SERVICES	NON-UNIVERSITY-SPONSORED
<input type="checkbox"/>	Event Services Contact Identified	✗	✗	✓
<input type="checkbox"/>	Contract Administrator Identified	✗	✓	✗
<input type="checkbox"/>	Registry Administrator Identified	✓	✗	✓
<input type="checkbox"/>	Program Approval Form	✓	✗	✗
<input type="checkbox"/>	Facilities Use Agreement with Insurance Rider	✗	✗	✓
<input type="checkbox"/>	List of All Authorized Adults and Program Staff	✓	✓	✓
<input type="checkbox"/>	Background Screenings for Authorized Adults and Program Staff: <i>PSP Criminal History Record Check, PA Child Abuse Clearance, and Federal Criminal History Record Check</i>	✓	✓	✓
<input type="checkbox"/>	Policy Handbook Review and Trainings for Authorized Adults and Program Staff: <i>Mandated Reporter, Sexual Harassment (Title IX), Code of Conduct, Risk Management, Emergency Procedures, and Reporting Protocols</i>	✓	✓	✓
<input type="checkbox"/>	Risk Assessment and Plan	✓	✗	✓
<input type="checkbox"/>	Supervision Ratio	✓	✗	✓
<input type="checkbox"/>	Transportation Plan (<i>if applicable</i>)	✓	✗	✓
<input type="checkbox"/>	Housing Plan (<i>for residential programs</i>)	✓	✗	✓
<input type="checkbox"/>	Program Orientation Materials and Participant Forms*: <i>Program purpose, length, location, fees, and rules/expectations, and participant code of conduct, emergency contacts and notification protocols for parents/legal guardians, health history/medical insurance and medical treatment consent, media release, and waiver of liability, assumption of risk, and indemnity agreement</i>	✓ <i>*Minor Information Form must be used by University-Sponsored Programs; see sample form in ADDENDUM.</i>	✗	✓
<input type="checkbox"/>	Record Retention and Storage Plan	✓	✓	✓

✓ = Required | ✗ = Not Required

Purpose and Scope

Pennsylvania Western University (PennWest) takes seriously its commitment to promoting a safe and welcoming environment for minors participating in University and non-University programs and activities that occur on PennWest campuses.

Pursuant to PennWest Policy DE002: Protection of Minors, this Policy Handbook applies to programs sponsored by any PennWest campus or held on University-owned property by non-University sponsoring organizations and provides guidelines and requirements for operating such programs and activities.

This Policy Handbook applies to all programs and activities involving minors as outlined in Pennsylvania's State System of Higher Education (State System) Board of Governors' [Policy 2014-01-A: Protection of Minors](#), including graduate and undergraduate course offerings, programs operated by the University or non-University sponsored programs on campus and programs under the direction and authority of the University at locations off campus. This also applies to such programs and activities whether they are limited to daily activities or involve the housing of minors, including all programs and activities such as, summer camps, specialty camps (e.g., academic and patient camps), outreach activities, workshops, conferences, tutoring, educational programs, licensed childcare facilities and programs, and affiliated entity activities. All programs and activities that are subject to state licensure are also required to comply with applicable laws and regulations.

Except for the reporting of child abuse, this policy handbook does not apply to:

- Events on campus that are open to the general public, as minors attend these events at the sole discretion of their parents or legal guardians.
- Private events where minors attend under the supervision of a parent or legal guardian.
- Student placements at internship sites, clinical sites, student teaching/field placement sites, and/or any other academic credit bearing activities with external entities. When schools and/or departments place students at external entities, students must be informed of their obligation to comply with the external entity's policies and procedures, including those regarding background checks and working with minors.
- Other programs as determined (in writing) by the University President (or designated official) as being exempt from this policy handbook, or specific provisions of this policy handbook.

Definitions

Affiliated Entity: A private organization (typically classified as a 501(c)(3) nonprofit organization for federal tax purposes) that exists solely for the benefit of the University and is recognized as such by the University's Council of Trustees or the State System Board of Governors, including, but not limited to, foundations, alumni associations, and student associations. For more information see the State System [Policy on Relationships with Affiliated Entities](#).

Authorized Adults or Program Staff: Individuals, paid or unpaid, who may have direct contact or interactions with, treat, supervise, chaperone, or otherwise oversee minors. This includes, but is not limited to, faculty, staff, volunteers, graduate and undergraduate students, interns, employees of temporary employment agencies, and independent contractors. Roles of authorized adults or program staff include, but are not limited to, positions as counselors, chaperones, coaches, instructors, health care providers, and outside providers running programs in leased facilities. This definition does not include temporary guest speakers, presenters, or other individuals who have no direct contact with program participants other than short-term activities supervised by program staff, or fellow students whose only role is that of a participant in the education, services, or program offered.

Campus: The physical location or site of buildings, grounds, and facilities that are owned, operated, managed, and/or controlled by the University.

Child Abuse: Child abuse is defined in [Pennsylvania's Child Protective Services Law, 23 Pa.C.S. §6344\(c\)](#). That definition includes non-accidental actions or omissions that cause serious physical or mental injuries to a child, or sexual abuse/sexual exploitation of a child including:

- **Physical Abuse:** Acts or omissions that cause, or fail to prevent, a serious physical injury to a child.
- **Sexual Abuse:** Includes, but is not limited to, rape, sexual assault, molestation, incest, indecent exposure, or otherwise exploiting a child in a manner in which the child is used for gratification or sexual enjoyment by another person, regardless of age.
- **Emotional or Mental Abuse:** Acts or omissions that have an actual or likely severe negative impact on a child's emotional and behavioral development, including those resulting from persistent or severe emotional mistreatment.
- **Neglect:** A severe or persistent failure to provide for a child's physical, emotional, or basic needs.

Contract Administrator: The person(s) who has primary and direct responsibility for managing a service contract and storage of all required supporting documentation for Non-Affiliated Services. These services are not covered through Facilities Use Agreements and are not managed by Program or Registry Administrators.

Direct Contact: Authorized adults or program staff providing care, supervision, guidance, or control; or routine interaction with minors.

Independent Contractor: An individual who provides a program, activity, or service to the University that is responsible for the care, supervision, guidance and/or control of children.

Mandated Reporter: Mandated reporters are persons required to report suspected child abuse as defined under [Pennsylvania's Child Protective Services Law \(CPSL\), Section 6311\(a\)](#). In a situation of suspected child abuse, all University administrators, faculty, coaches, staff members, student workers, independent contractors, and volunteers are mandated reporters.

- Mandated reporters must immediately make an oral report of suspected child abuse to the Department of Human Services (DHS) by calling 1-800-932-0313, or a written report to DHS using electronic technologies when available, via the [PA Childline Website](#).
- If an oral report is made, a written report shall also be made within 48 hours to DHS or the county agency assigned to the case as prescribed by DHS. Immediately following the report to DHS, the mandated reporter must notify the designated person in charge at the University who will assume responsibility for facilitating the University's cooperation with the investigation of the report. More than one report of the suspected child abuse is not required. The University will provide training and protocols for mandated reporters.

Minor/Child: A person under 18 years of age, including non-matriculated minors have not been officially accepted and admitted into a degree program at the University but may be enrolled undergraduate/graduate students, students "dually enrolled" with the University and in elementary, middle, or high school, employees, or participants in program activities.

Non-Affiliated Services: Individuals, partnerships, companies, organizations, joint ventures or other entities that provide services which are not, directly or indirectly, provided by or controlled by the University or State System. All Non-Affiliated Services must be registered by the Contract Administrator.

Non-University-Sponsored Programs: Programs that are not directly covered by University insurance and are not operated on behalf of or under the control of the University. All Non-University-Sponsored Programs must be registered by the Program Administrator and approved by the Registry Administrator.

One-on-One Contact: Personal, unsupervised interaction between any authorized adult or program staff and a participant without at least one other authorized adult or program staff member, parent, or legal guardian present.

Program, Activity, or Service: Programs, activities, or services offered by academic or administrative units of the University, or by non-University groups and/or independent contractors using University facilities, where the parents or legal guardians are not directly responsible for the care, custody, or control of their children. This includes, but is not limited to, workshops, services, camps, conferences, campus visits, and similar activities. These do not include organized private or public events where parents or legal guardians are responsible for minors.

Program Administrator: The person(s) who has primary and direct operational responsibility for managing a program and its records and providing all required supporting documentation to the Registry Administrator.

Registry: An official record or list of programs, activities, or services along with any required supporting documentation, occurring on and using University facilities that involve non-matriculated minors.

Registry Administrator: The person(s) assigned by the University who has primary and direct operational responsibility for managing a registry and ensuring the Program Administrator has provided and certified all required supporting documentation.

Reportable Offense: Any of several criminal offenses enumerated in [Pennsylvania's Child Protective Services Law, 23 Pa.C.S. §6344\(c\)](#).

Sponsoring Organization: The non-affiliated entity sponsoring and holding responsibility for hosting a program using University facilities.

Sponsoring Unit: The academic or administrative unit of the University that offers a program or gives approval for the use of University facilities.

State System Entity: A university of Pennsylvania's State System of Higher Education (State System) or the Office of the Chancellor.

University Facilities: Facilities owned by or under the control of a State System entity, including spaces used for education, athletics, dining, recreation, University housing, and on-campus affiliate-owned properties.

University-Sponsored Programs: Programs that are directly covered by University insurance and managed by University faculty, staff, and affiliated entities on behalf of the University. All University Sponsored Programs must be registered by the Program Administrator and approved by the Registry Administrator.

Volunteer: Any individual authorized by an appropriate appointing authority (or designee) who provides services to a University-Sponsored Program or Non-University-Sponsored Program without remuneration.

Identification, Selection, and Screening of Authorized Adults and Program Staff

A list of all authorized adults and program staff must be established and maintained by the Program Administrator or Contract Administrator. The Program Administrator or Contract Administrator is responsible for ensuring all authorized adults and program staff have fulfilled all required background screenings prior to the program start date as outlined in accordance with State System Procedures and Standards for University Operations: [Procedure/Standard Number 2015-21: Background Clearances and Reporting Requirements](#).

Clearances are required for all authorized adults and program staff at a minimum of every 60 months from the date of the oldest clearance. Clearances may be required more frequently based on licensure, program, or employer requirements.

BACKGROUND CHECK REQUIREMENTS

All authorized adults and program staff are required to have the following three background clearances:

1. [PA State Police \(PSP\) Criminal History Record Check](#) or a statement from the PSP verifying the individual has not been convicted of a reportable offense.
2. [PA Child Abuse History Clearance Certification](#) from the Department of Human Services verifying as to whether the individual is named in the statewide database as a perpetrator in a pending child abuse investigation or in a founded or indicated report of child abuse within the last five years.
3. [Federal Bureau of Investigation \(FBI\) Criminal History Clearance](#) verifying the identity of the individual and obtaining a current record of any criminal arrests and convictions. The fingerprint-based background check is a multi-step process. The Commonwealth of Pennsylvania contracts with [IDEMIA](#) (also referred to as IdentoGo or MorphoTrust) for digital fingerprinting. Individuals can register with IDEMIA and be fingerprinted at an IdentoGo site.

For University-Sponsored Programs:

- Verification of background clearances for University employees and assistance with obtaining clearances for program staff is handled through the Office of Human Resources.
- The Program Administrator must certify that all background checks are completed by submitting the **University-Sponsored Program Approval Form** (see sample in ADDENDUM) to the Registry Administrator.
- The Registry Administrator must verify that all required supporting documentation has been received and provide final program approval to the Program Administrator prior to the program start date.

For Non-University-Sponsored Programs:

- The Program Administrator must certify that all background checks and trainings have been completed by signing and sending the **Facilities Use Agreement** to the Event Services contact at the appropriate PennWest campus.
- NOTE: PennWest does not review or keep copies of the background checks for Non-University-Sponsored Programs. It is the sponsoring organization's responsibility to maintain and store these background checks. (See Record Retention and Storage section, page 16, for additional information).

For Non-Affiliated Services:

- The Contract Administrator must certify that all background checks and all required training are completed through receipt of the Non-Affiliated Services Certification Form.

GROUND FOR DENYING EMPLOYMENT/VOLUNTEERISM

No prospective employee or volunteer shall be engaged in services to the sponsoring unit or organization when the authorized adult and program staff member is named in the Department of Public Welfare's central register as the perpetrator of a founded report of child abuse committed within the five-year period immediately preceding verification.

No prospective program staff member shall be engaged in services for the sponsoring unit or organization where the report of criminal history record information indicates the prospective employee or volunteer has been convicted of an offense under one or more of the following provisions of [Title 18 of the Pennsylvania Consolidated Statutes](#) or an equivalent crime under Federal law or the law of another state (includes attempt, solicitation or conspiracy to commit):

- Chapter 25 (relating to criminal homicide)
- Section 2702 (relating to aggravated assault)

- Section 2709.1 (relating to stalking)
- Section 2901 (relating to kidnapping)
- Section 2902 (relating to unlawful restraint)
- Section 2910 (relating to luring a child into a motor vehicle or structure)
- Section 3121 (relating to rape)
- Section 3122.1 (relating to statutory sexual assault)
- Section 3123 (relating to involuntary deviate sexual intercourse)
- Section 3124.1 (relating to sexual assault)
- Section 3124.2 (relating to institutional sexual assault)
- Section 3125 (relating to aggravated indecent assault)
- Section 3126 (relating to indecent assault)
- Section 3127 (relating to indecent exposure)
- Section 3129 (relating to sexual intercourse with animals)
- Section 4302 (relating to incest)
- Section 4303 (relating to concealing death of child)
- Section 4304 (relating to endangering welfare of children)
- Section 4305 (relating to dealing in infant children)
- A felony offense under section 5902(b) (relating to prostitution and related offenses)
- Section 5903(c) or (d) (relating to obscene and other sexual materials and performances)
- Section 6301(a) (1) (relating to corruption of minors)
- Section 6312 (relating to sexual abuse of children)
- Section 6318 (relating to unlawful contact with minor)
- Section 6319 (relating to solicitation of minors to traffic drugs)
- Section 6320 (relating to sexual exploitation of children)
- The attempt, solicitation, or conspiracy to commit any of the offenses set forth in this Paragraph, above.

For candidates with certain pending charges or convictions, individualized assessments and considerations may be conducted when applicable to evaluate any information provided to determine whether exclusion based on the nature and severity, timing, and circumstances of the charge/conviction in relation to the position and consistent with business necessity, as outlined in State System Procedures and Standards for University Operations: [Procedure/Standard Number 2015-21: Background Clearances and Reporting Requirements](#).

REPORTING OF ARRESTS OR CONVICTIONS

Per State System Procedures and Standards for University Operations: [Procedure/Standard Number 2015-21: Background Clearances and Reporting Requirements](#), all authorized adults and program staff must provide written notice to the Program or Contract Administrator, if they are:

1. Arrested for, or convicted of, a reportable offense enumerated under the Child Protective Services Law, [23 Pa.C.S. § 6344\(c\)](#), that would constitute grounds for denial of employment or participation in a program, activity, or service; or
2. Named as a perpetrator in a founded or indicated report of child abuse.

All authorized adults and program staff must provide written notice to the Program or Contract Administrator within 72 hours of arrest, conviction, or notification that the person has been listed as a

perpetrator in the statewide database. Upon receipt of any written notice of arrest, conviction, or notification that the person has been listed as a perpetrator in the statewide database, the Program Administrator must immediately notify the Registry Administrator. A Registry Administrator or Contract Administrator is responsible for notifying the University President (or designated official) in order to contact University Legal Counsel prior to taking any action.

If the University or Program or Contract Administrator has a reasonable belief that an authorized adult or program staff member has been arrested or convicted of a reportable offense or was named as perpetrator in a founded or indicated report, or if an authorized adult or program staff member has provided notice of activity that would be sufficient to deny employment or program participation, the University or Program or Contract Administrator must immediately require the authorized adult or program staff member to immediately submit current information as required to secure the three background clearance checks. Any employee or volunteer who fails to comply may be subject to discipline up to and including termination or removal.

The failure of any authorized adult or program staff member to make a written notification as required above is a misdemeanor of the third degree, pursuant to [23 Pa.C.S. § 6344.3\(h\)](#); the authorized adult or program staff member shall be subject to discipline up to and including termination or denial of employment or volunteer position.

Mandated Reporter Training

In a situation of suspected child abuse, all authorized adults and program staff are mandated reporters. Everyone who is deemed a mandated reporter shall be trained as if designated a mandated reporter by Pennsylvania Law. The Program or Contract Administrator must certify that the authorized adults and program staff have completed Mandated Reporter Training.

All mandated reporters shall make an immediate report of suspected child abuse or cause a report to be made if they have reasonable cause to suspect that a child is a victim of child abuse under any of the following circumstances:

- The mandated reporter comes into contact with the child in the course of employment, occupation, and practice of a profession or through a regularly scheduled program, activity, or service.
- The mandated reporter is directly responsible for the care, supervision, guidance, or training of the child, or is affiliated with an agency, institution, organization, school, regularly established church or religious organization, or other entity that is directly responsible for the care, supervision, guidance, or training of the child.
- A person makes a specific disclosure to the mandated reporter that an identifiable child is the victim of child abuse.
- An individual 14 years of age or older makes a specific disclosure to the mandated reporter that the individual has committed child abuse.

The minor is not required to come before the mandated reporter in order for the mandated reporter to make a report of suspected child abuse. The mandated reporter does not need to determine the identity of the person responsible for the child abuse to make a report of suspected child abuse.

Mandated reporters must immediately make an oral report of suspected child abuse to the Department of Human Services (DHS) by calling 1-800-932-0313, or a written report to DHS using electronic technologies when available, via the [PA Childline Website](#). More than one report of the suspected child abuse is not

required.

If an oral report is made, a written report shall also be made within 48 hours to DHS or the county agency assigned to the case as prescribed by DHS. Immediately following the report to DHS, the mandated reporter must notify the applicable University's campus contacts in the Office of Compliance and Title IX and the Police Department as follows:

PennWest California:

Office of Compliance and Title IX

Amy E. Salsgiver
Executive Director of Compliance and Title IX
423 Becht Hall, Clarion Campus
814-393-2109 | asalsgiver@pennwest.edu

Police Department

Ed McSheffery
Chief of University Police
724-938-4299 | mcsheffery@calu.edu

PennWest Clarion:

Office of Compliance and Title IX

Amy E. Salsgiver
Executive Director of Compliance and Title IX
423 Becht Hall, Clarion Campus
814-393-2109 | asalsgiver@pennwest.edu

Police Department

Jason L. Hendershot
Chief of University Police
814-393-2111 | jhendershot@clarion.edu

PennWest Edinboro:

Office of Compliance and Title IX

Andrew Matt
Associate Director of Compliance and Title IX
213 Reeder Hall, Edinboro Campus
814-732-1564 | amatt@pennwest.edu

Police Department

Eric Kraus
Assistant Chief of Police
814-732-2921 | vincent@edinboro.edu

For Non-University Sponsored Programs and Non-Affiliated Services, additional resources for mandated reporter training can be obtained by contacting the appropriate campus contact in the Office of Compliance and Title IX.

Sexual Harassment (Title IX) Training

The Program or Contract Administrator must certify that the authorized adults and program staff have completed Sexual Harassment (Title IX) Training prior to the start of the program.

For employed University faculty, staff, and students, Sexual Harassment (Title IX) Training is provided annually through the Office of Compliance and Title IX.

For Non-University Sponsored Programs and Non-Affiliated Services, additional resources for Sexual Harassment Training can be obtained by contacting the appropriate campus Office of Compliance and Title IX noted in the Mandated Reporter Training section above.

Code of Conduct Training

Authorized adults or program staff should be positive role models for minors and act in a responsible manner that is consistent with the mission of the State System and PennWest. Authorized adults or program staff are required to comply with all applicable laws as well as State System and University policies.

The Program or Contract Administrator must certify that the authorized adults and program staff have received a set of rules around appropriate employee/volunteer behavior and have reviewed and agree to abide by the following minimum State System and University expectations prior to the start of the program:

1. Do not engage in any sexual activity, make sexual comments, tell sexual jokes, or share sexually explicit material with minors or assist in any way to provide access to such material to minors.
2. In the case of adults supervising minors overnight, authorized adults should not enter a minor's room, bathroom facility or similar area without another adult in attendance.
3. Separate accommodations for adult and minor are required other than the minor's parents/legal guardians.
4. Do not engage or allow minors to engage you in romantic or sexual conversations or related matters. Similarly, do not treat minors as confidantes; refrain from sharing sensitive personal information about you. Examples of sensitive personal information that should not be shared with minors are information about financial challenges, workplace challenges, drug or alcohol use, and/or romantic relationships, etc.
5. Do not touch minors in a manner that a reasonable person could interpret as inappropriate. All personal contact should generally only be in the open, and in response to the minor's needs, for a purpose that is consistent with the program's mission and culture, or for a clear educational, developmental, or health-related purpose (e.g., treatment of injury). Any refusal or resistance from the minor should be respected.
6. Do not be alone with a minor. If one-on-one contact is required, meet in an open, well illuminated space or room with windows observable by other authorized adults or program staff members, unless the one-on-one contact is expressly authorized and must include more than one authorized adult or program staff member.
7. Do not meet with minors outside of the established times for program activities. Any exceptions require written parent/legal guardian authorization and must include more than one authorized adult or program staff member.
8. Do not invite individual minors to your home or other private locations. Any exceptions require authorization by the Program Administrator and written authorization by a parent/legal guardian.
9. Do not provide gifts to minors or their families independent of items provided by the program.
10. Do not engage or communicate with minors except for an educational or programmatic purpose; the content of the communication must be consistent with the mission of the program and the University.
11. Do not engage in any abusive conduct of any kind toward, or in the presence of, a minor, including, but not limited to, verbal abuse, striking, hitting, punching, poking, spanking, or restraining. If restraint is necessary to protect a minor or other minors from harm, all incidents must be documented and disclosed to the program administrator and the minor's parent/legal guardian.
12. Do not use, possess, or be under the influence of alcohol or illegal drugs while on duty, or in the presence of minors involved in a program, or when responsible for a minor's welfare.
13. Do not provide alcohol or illegal substances to a minor.
14. Do not provide medication to a minor unless authorized by the program's medication management guidelines.
15. When transporting minors, more than one authorized adult or program staff member must be present in the vehicle, except when multiple minors will be in the vehicle at all times through the

transportation. Avoid using personal vehicles if possible and comply with the program's transportation guidelines.

16. Any communication with a minor in electronic format (email/text) should be in a group mail/text format or include another program personnel or parent – this avoids any 1-to-1 communication. Personnel and supervisors should monitor the internet use of minors in the program and assure filters or blocked content/security options are on in those programs which allow minors to use University PCs or other electronic devices. Personnel should not access any site inappropriate for minors while in supervision or monitoring role.
17. Do not use harassing or discriminatory communication or language that would violate State System Board of Governors' [Policy 2009-03: Non-Discrimination Policy](#).

Risk Management

RISK ASSESSMENT

To effectively manage any negative impact on minors and staff, each program should complete a risk assessment. This risk assessment should identify all hazards, identify the probability and severity of an event with those hazards, identify action items to mitigate those risks, implement those action items, and then reassess those mitigation efforts.

The department of Safety & Risk Management has created a Risk Assessment template to assist Program Administrators in the risk assessment process. Any high/extreme risk identified in this assessment should be discussed with the Registry Administrator and Safety & Risk Management.

EMERGENCY PROCEDURES

The Program or Contract Administrator must certify that all authorized adults and program staff have reviewed the emergency procedures for the location of the program, including off-campus locations.

PennWest California: [Emergency Procedures](#)

PennWest Clarion: [Emergency Procedures](#)

PennWest Edinboro: [Emergency Procedures](#)

In the event of an emergency on a PennWest campus, please contact the appropriate PennWest Police Department. In the event that someone dials 911 from a cell phone, the call will be directed to the applicable County 911 Center. The County 911 Center will then dispatch local emergency responders and notify the corresponding PennWest Police Department.

PennWest California Police Department: 724-938-4299

PennWest Clarion Police Department: 814-393-2111

PennWest Edinboro Police Department: 814-732-2911

Note: Incidents that result in minor injury or illness (non-medical emergency), non-matriculated minors or visitors on campus should seek medical support through their Program Administrator or the nearest medical facility. Enrolled students may seek treatment from their campus Health Center.

MINIMUM STAFF SUPERVISION RATIO

Each Program Administrator must determine the ratio of supervision for the program. As a guide, the following ratios are provided and were derived from the American Camp Association and meet the minimum supervision requirements of the University for day and overnight (residential) programs:

Age Group	Day	Overnight
5 years of age and younger	1 staff for 6 minors	1 staff for 5 minors
6-8 years of age	1 staff for 8 minors	1 staff for 6 minors
9-14 years of age	1 staff for 10 minors	1 staff for 8 minors
14-17 years of age	1 staff for 12 minors	1 staff for 10 minors

Additionally, the Program Administrator must assign a staff member who is at least 21 years of age to:

1. be accessible to participants during all program hours;
2. ensure one-on-one contact with minors does not occur; and
3. maintain the appropriate ratios of supervision.

TRANSPORTATION

A Transportation Plan is required to be created anytime a minor is to be transported as part of the program. The Transportation Plan must include the following:

- A procedure for the pick-up and drop-off of participants, specifying times and locations.
- A procedure to obtain written permission from a parent or legal guardian in the event any participant is to be released to any person other than the parents or legal guardians.
- A description of any transportation of participants to be provided by the program, specifying the type of vehicle AND the driver.
- No adult will be permitted to be alone with a minor in any vehicle.
- All Commonwealth laws and University policies and procedures shall be followed at all times, including for travel and transportation.
- If there is no transportation for the program, this should be noted within the required Program Registry documentation.

RESIDENCE LIFE AND HOUSING

All authorized adults and program staff accept responsibility for adhering to all University Residence Life and Housing policies, procedures, and general information.

The following policies will be enforced as related to children/minors under the age of 18 involved in residential programs, including minor guest visitations and overnight stays with PennWest students during the academic year:

- PennWest student guests who are 16 or 17 years of age may visit or stay overnight with the completion of a **Minor Guest Permission Form** (available through Residence Life and Housing) from their parent or legal guardian and if approved by the Associate Director of Residence Life and Housing. PennWest student hosts are responsible for the behavior of their visitors.
- In order to ensure that all individuals within a building are welcome, guests must be escorted by their student host(s) and/or program staff at all times.
- Written permission must be signed by the parent/legal guardian for a child/minor to reside in University housing.
- All guests under the age of 18 are expected to complete a registration card that includes the name and contact information for parent and/or legal guardian.
- In-room visitation is restricted to participants of the same gender.
- Guests of participants (other than a parent/legal guardian and other program participants) are not permitted unless accompanied by parent/legal guardian.

- Babysitting in the residence halls is not permitted.
- Attendant care services will not be provided to children/minors by University faculty, staff or students unless enrolled as a full or part-time student with University contracted attendant care services.

The following additional policies will be enforced as related to children/minors under the age of 18 involved in residential programs, including summer camps and conference programs, with minors:

- Participants are only allowed on the floors/wings or in the Residence Halls to which they are assigned.
- To ensure safety and security, the main residence hall doors are to be used as the only entrance and exit except in case of emergencies. The front doors are to be kept locked. The doors are not to be 'propped' or opened to allow non-residents access to the hall. All other doors are designated as emergency exits only and are alarmed at all times. Side doors are to be used only in emergencies.
- Smoking is prohibited in all buildings. Electronic smoking devices such as e-cigarettes and similar devices are also prohibited from being used in all campus buildings, including residence halls
- The University enforces all state and federal laws concerning illegal drugs.
- Weapons and fireworks are prohibited on campus.
- Fire alarms and equipment are to be used only in emergencies and are not to be tampered with.
- Window screens are not to be removed.
- Programs will be charged for room or common area damages.
- Programs will be billed for each lost key.
- Any local curfew ordinances relating to minors may be enforced by the local/community police.

INSURANCE

All Non-University Sponsored Programs must file a Certificate of Insurance along with the executed copy of the Facilities Use Agreement.

At a minimum, the sponsoring organization shall obtain and maintain in effect the following coverages: commercial general liability (CGL), property damage, and automobile liability in the amount of no less than \$250,000.00 each person as well as \$1,000,000.00 each occurrence for bodily injury and property damage. The certificate also must name University as a certificate holder and an additional insured.

Such insurance may not be canceled, amended or permitted to lapse except upon a minimum of thirty (30) days prior written notice to University.

The sponsoring organization shall be solely responsible for payment of any deductible required by such insurance, in the event of a paid claim.

Reporting Protocols

The Program or Contract Administrator must certify that all authorized adults and program staff, at a minimum, review the reporting protocols outlined in this section of the Policy Handbook for reporting incidents involving injuries, illnesses, property damage and near-misses, for reporting accusations of misconduct by authorized adults, program staff, or participants, and for reporting suspected child abuse.

REPORTING INCIDENTS INVOLVING INJURIES, ILLNESSES, PROPERTY DAMAGE, AND NEAR-MISSES

An incident report shall be completed within 24 hours for all incidents that result in personal injury or damage to property, equipment, or the environment, or has the potential to result in such consequences (near-miss).

1. For incidents that results in severe injury, illness, exposure, property damage, or death, immediately notify the applicable PennWest Police Department.
2. All incidents are to be reported to the Program Administrator. If an injury has occurred, the Program Administrator will notify the parents/legal guardians at the time of injury or at the earliest convenient time to communicate details.
3. The Program Administrator will complete a PennWest Incident Report, with assistance of the involved person(s).
4. The Program Administrator will submit the incident report to the Safety & Risk Management, safety@pennwest.edu, and the Registry Administrator.

REPORTING ACCUSATIONS OF MISCONDUCT BY AUTHORIZED ADULTS/PROGRAM STAFF

Any person believing that an authorized adult or program staff member should not be allowed to continue with the program must make a written and signed complaint to the Program Administrator. The Program or Contract Administrator will investigate the complaint and make a report of the findings to the appropriate parties. All complaints and investigation reports will be kept confidential.

REPORTING ACCUSATIONS OF MISCONDUCT BY PARTICIPANTS

Any person believing that a participant should not be allowed to continue with the program must make a written and signed complaint to the Program or Contract Administrator. The Program Administrator will investigate the complaint and make a report of the findings to the appropriate parties. All complaints and investigation reports will be kept confidential.

REPORTING OF SUSPECTED CHILD ABUSE

Refer to the Mandated Reporter Training section (pages 9-10) of this Policy Handbook for the required reporting protocols, procedures, and contacts.

Program Orientation Materials/Participation Forms

The Program Administrator must provide the Registry Administrator with copies of any orientation materials and participation forms provided to program participants and their parents/legal guardians.

All University-Sponsored Programs must use and collect the **Minor Information Form** for all participants (see ADDENDUM).

For Non-University-Sponsored Programs, orientation materials and participation forms must, at a minimum, include the following information:

- Program purpose, length, location and fees
- Program rules/expectations
- Participant code of conduct
- Emergency contacts and notification protocols for parents/legal guardians
- Health history/medical insurance and medical treatment consent by parents/legal guardians
- Media release
- Waiver of liability, assumption of risk, and indemnity agreement by parents/legal guardians

See sample **Minor Information Form** at the end of this Policy Handbook (see ADDENDUM).

Record Retention and Storage

All program-related documentation gathered should be kept confidential, is subject to record retention guidelines, and shall not be disclosed, except as provided by law.

For University-Sponsored Programs, please refer to PennWest Record Retention Policy #FA024 for additional information.

BACKGROUND CHECKS

For Non-University-Sponsored Programs, copies of background screenings shall be stored for 25 years by the sponsoring organization. Copies should not be sent to the Registry Administrator or PennWest.

For University-Sponsored Programs, the Office of Human Resources shall maintain copies of clearances for programs involving minors. For University-Sponsored Programs, please refer to PennWest Record Retention Policy #FA024 for additional information.

FACILITIES USE AGREEMENTS

For Non-University Sponsored Programs, copies of the Facilities Use Agreements shall be stored with the assigned Registry Administrator at PennWest in a secure area. These records shall be stored for 7 years in either paper or electronic form.

NON-AFFILIATED SERVICES CERTIFICATION FORMS

Copies of all Certification Forms for all Non-Affiliated Services shall be stored with the assigned Contract Administrator at PennWest in a secure area. These records shall be stored for 7 years in either paper or electronic form.

PARTICIPATION FORMS

All forms and documentation related to minors' participation in the program must be stored by the Program Administrator in accordance with University Policy and/or the sponsoring organization's policies.

PROGRAM REGISTRY APPROVAL FORMS

Copies of all Program Registry Approval Forms (see sample forms in ADDENDUM) shall be stored with the assigned Registry Administrator at PennWest in a secure area. These records shall be stored for 7 years in either paper or electronic form.

Enforcement

PennWest policies are designed to protect both participants and the University community, not to limit an individual's freedom. Every person on campus is responsible for their own behavior. Each individual is asked to abide by the University policies to help ensure each program offered within a safe and secure environment.

Sanctions for violations of the requirements set forth in this Policy Handbook will depend on the circumstances and the nature of the violation but may include the full range of available University sanctions applicable to the individual including suspension, dismissal, termination, and, where appropriate, exclusion from campus.

ADDENDUM

Sample Forms

**PENNSYLVANIA WESTERN UNIVERSITY
UNIVERSITY-SPONSORED PROGRAM APPROVAL FORM**

Event/Program Name: _____

Program Start Date: _____ **End Date:** _____

Location of Event: _____

Does the Event/Program have non-matriculated minors in attendance? YES ☐ NO ☐

Is the Event/Program exempt from the PennWest Protection of Minors Policy? YES ☐ NO ☐

If yes, select appropriate exemption below:

- ☐ Events on campus that are open to the general public, as minors attend these events at the sole discretion of their parents or legal guardians.
- ☐ Private events where minors attend under the supervision of a parent or legal guardian.
- ☐ Student placements at internship sites, clinical sites, student teaching/field placement sites, and/or any other academic credit bearing activities with external entities. When schools and/or departments place students at external entities, students must be informed of their obligation to comply with the external entity's policies and procedures, including those regarding background checks and working with minors.
- ☐ Other programs as determined (in writing) by the University President (or designated official) as being exempt from the University's Protection of Minors Policy, or specific provisions of the policy.

Event Services Contact: _____

Registry Administrator: _____

Sponsoring Unit: _____

Program Administrator: _____

Anticipated Supervision Ratio: # of Staff: _____ **| # of Participants:** _____

Ratios derived from the American Camp Association and meet minimum University requirements:

Age Group	Day	Overnight (Residential)
5 years of age and younger	1 staff for 6 minors	1 staff for 5 minors
6-8 years of age	1 staff for 8 minors	1 staff for 6 minors
9-14 years of age	1 staff for 10 minors	1 staff for 8 minors
14-17 years of age	1 staff for 12 minors	1 staff for 10 minors

Copy of the Program Orientation Materials AND Participation Forms received? YES ☐ NO ☐

Transportation needed? YES ☐ NO ☐ **Housing needed?** YES ☐ NO ☐

**If yes, attach plan.*

**If yes, attach plan.*

Date Policy Handbook Electronically Provided to Program Administrator: _____

Program Administrators are responsible for keeping record of all Authorized Adults and Program Staff and the following requirements:

- Background Check #1 = [PA State Police \(PSP\) Criminal History Record Check](#)
- Background Check #2 = [PA Child Abuse History Clearance Certification](#)
- Background Check #3 = [Federal Bureau of Investigation \(FBI\) Criminal History Clearance](#)
- Trainings (per Policy Handbook) = Mandated Reporter, Sexual Harassment (Title IX), Staff Code of Conduct, Emergency Planning, and Response Protocols

Acknowledgment of Understanding: *I have reviewed and understand the guidelines and requirements as set forth in the PennWest Protection of Minors Policy and the PennWest Protection of Minors Policy Handbook. Furthermore, I recognize and acknowledge my role as Program Administrator for the University-Sponsored Program mentioned above and as such, agree to adhere to all requirements and expectations related to this program.*

Program Administrator Signature: _____

Date: _____

**PENNSYLVANIA WESTERN UNIVERSITY-SPONSORED PROGRAM
INFORMATIONAL FORM FOR MINORS**

PARTICIPANT INFORMATION

Participant's Name: _____ Date of Birth: _____

Street Address: _____ Phone: (____) _____

City: _____ State: _____ Zip Code: _____

Name of Event: _____ Date(s) of Event: _____

PARENT/LEGAL GUARDIAN INFORMATION

Name: _____ Cell Number: (____) _____

Street Address: _____ City: _____ State: _____ Zip Code: _____

MEDICAL INSURANCE INFORMATION

Insurance Company Name: _____

Policy Number: _____ Agreement Number: _____

Policy Holder Name: _____ Relationship to Participant: _____

I, as a legal guardian, have medical insurance coverage for my child and understand that I am responsible for all medical costs associated with injuries, infections, accidents and illnesses that may occur at this University activity.

EMERGENCY CONTACT PHONE NUMBERS (In the event the parent or guardian cannot be reached)

1st Contact: _____

Relationship to Participant: _____ Cell #: (____) _____

2nd Contact: _____

Relationship to Participant: _____ Cell #: (____) _____

MEDICAL HISTORY OF PARTICIPANT

1. Any current medical conditions that may be life threatening, result in a medical emergency, or affect participation in activities? YES ☐ NO ☐

If yes, _____

2. Any allergies to prescription and/or non-prescription medication? YES ☐ NO ☐

Please list: _____ Reaction: _____

(Please note – the staff and volunteers of this program will not administer regularly taken medication.)

3. Any additional allergies (food, insect, etc.) YES ☐ NO ☐

Please list: _____

PARENTAL CONSENT TO MEDICAL TREATMENT

PLEASE SIGN the following statement concerning the medical treatment of my child: In the event of any illness or injury to my child I give the University sponsor permission to administer minor treatment, while continuing to contact the parent, guardian, designated individual, or 911 in a medical emergency.

Parent/Legal Guardian Signature: _____ Date: _____

Participant's Name [Print]: _____

PENNSYLVANIA WESTERN UNIVERSITY

Waiver of Liability, Assumption of Risk, and Indemnity Agreement

Waiver: In consideration of being permitted to participate in any way in [Activity/Event Name]:

hereinafter called "The Activity", I, for myself, my heirs, personal representatives or assigns, **do hereby release, waive, discharge, and covenant not to sue Pennsylvania Western University**, and the State System of Higher Education, part of the Commonwealth of Pennsylvania, and their officers, employees, volunteers and agents from liability **for any and all claims including the negligence of Pennsylvania Western University, its officers, employees, volunteers and agents**, resulting in personal injury, accidents or illnesses (including death), and property loss arising from, but not limited to, participation in The Activity.

Assumption of Risks: Participation in The Activity carries with it certain inherent risks that cannot be eliminated regardless of the care taken to avoid injuries. The specific risks vary from one activity to another, but the risks range from: 1) minor injuries such as scratches, bruises, and sprains; 2) major injuries such as eye injury or loss of sight, joint or back injuries, heart attacks, and concussions; to 3) catastrophic injuries including paralysis and death.

Representations: *I certify that I am in good health and have no mental or physical condition or symptoms that could interfere with my safety or the safety of others while participating in any Activity described above.*

I have read the previous paragraphs and I know, understand, and appreciate these and other risks that are inherent in The Activity. I hereby assert that my participation is voluntary and that I knowingly assume all such risks.

Indemnification and Hold Harmless: I also agree to INDEMNIFY AND HOLD Pennsylvania Western University and the State System of Higher Education HARMLESS from any and all claims, actions, suits, procedures, costs, expenses, damages and liabilities, including attorney's fees brought as a result of my involvement in The Activity and to reimburse them for any such expenses incurred.

Severability: I further expressly agree that the foregoing waiver and assumption of risks agreement is intended to be as broad and inclusive as is permitted by the law of the Commonwealth of Pennsylvania and that if any portion thereof is held invalid, it is agreed that the balance shall, notwithstanding, continue in full legal force and effect.

Acknowledgment of Understanding: I have read this waiver of liability, assumption of risk, and indemnity agreement, fully understand its terms, and **understand that I am giving up substantial rights, including my right to sue.** I acknowledge that I am signing the agreement freely and voluntarily, and **intend by my signature to be a complete and unconditional release of all liability** to the greatest extent allowed by law.

Participant's Name [Print]: _____ Participant's Age (if minor): _____

Signature of Adult Participant: _____ Date: _____

Signature of Parent/Legal Guardian of Minor: _____ Date: _____

PENNSYLVANIA WESTERN UNIVERSITY PARENT/LEGAL GUARDIAN NOTIFICATION PROCESS

This procedure, consistent with University standards and expectations, is to be used for notifying the minor's parent/legal guardian in case of an emergency, including medical issues, behavioral problems, natural disasters, or other significant disruptions. The Program Administrator shall provide written information on the notification procedure to adults involved in the program, parents/legal guardians of minors, and, if age appropriate, the minor.

For overnight programs, each Program Administrator must have a roster of all minors participating in the program. The roster shall include each minor's name, gender, age, and home address; local room assignment (if any); phone number(s) of parent or legal guardian; and emergency contact information.

1. Provide information to the parent or legal guardian detailing the manner in which the minor can be contacted during the program.
2. For overnight programs, provide the registry administrator with a roster of program staff and contact information, including information on the program administrator.
3. Have completed a comprehensive health form for each minor camp or conference participant.
4. Program staff may distribute medications to minors only under the following conditions:
 - The minor's family must provide the medicine in its original pharmacy container labeled with the minor's name, medicine name, dosage, and timing of consumption. Over-the-counter medications must be provided in the manufacturer's container and labeled with the minor's name, dosage, and timing of consumption.
 - The parent or legal guardian must provide written authorization before program staff may distribute any medication to a minor.
 - Program staff shall keep the medicine in a secure location and, at the appropriate time for distribution, meet with the minor in the presence of another adult.
 - The program staff member shall allow the minor to self-administer the appropriate dose as shown on the container.
 - For medicine that the minor cannot self-administer, the parent or guardian must make arrangements in advance of the minor's arrival with a qualified individual to administer the medication.
 - Minors may carry personal "epi" pens and inhalers during activities for self-administration.
5. Develop and make available to participants the rules, discipline measures, and response protocols applicable to the program.
6. Obtain all liability releases as part of the program registration process.
7. Assign a staff member who is at least 21 years of age to be accessible to the participants. The staff member must reside in the housing unit, if applicable.
8. As applicable, all programs must adopt and implement rules and regulations for proper supervision of minors in University housing.

PENNSYLVANIA WESTERN UNIVERSITY CODE OF CONDUCT FOR MINOR PARTICIPANTS

It is expected that all minor participants in any University or Non-University Sponsored Program, activity, or service will conduct themselves in a polite, respectful manner and will adhere to all University rules as follows:

1. The possession or use of alcohol and illegal drugs, fireworks, guns, and weapons is prohibited.
2. The use of skateboards is prohibited.
3. No violence, including sexual abuse or harassment, will be tolerated.
4. Hazing, bullying, and cyber bullying will not be tolerated.
5. All curfews, if applicable, will be followed.
6. Misuse or damage of University property is prohibited.
7. All minors will be accompanied by another minor at all times. This is the buddy system.
8. Participants in an overnight program are not permitted to be housed in the same room as an adult unless the person is the minor's parent or legal guardian.
9. Minor participants may only be housed with a participant of the same sex.
10. No minor will be housed in a room alone.
11. Smoking is prohibited in all University buildings.
12. The inappropriate use of cameras, imaging, and digital devices is prohibited including use of such devices in showers, restrooms, or other areas where privacy is expected by participants.
13. Profanity is prohibited.
14. When crossing streets, only cross in the designated crosswalks.
15. Only use the building designated by your program supervisor or staff.
16. If you are hurt or injured, immediately report your injury to the program administrator and/or a program staff.